

POOR QUALITY ORIGINAL

Case No: 23-20152

Mark A. Goldsmith

FILED

MAR 18 2025

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DETROIT

JP,

When the psychiatric evaluation is ordered based upon a motion by the prosecutor or upon the court's own motion, the language of the order requiring examination is a critical consideration for defense counsel. It is well remembered that the test for competency is if the defendant lacks a sufficient present ability to consult with his lawyer with a reasonable degree of rational understanding or they presently lack a rational as well as factual understanding of the proceedings.

Defense Counsel should seek affirmative restraints on the prosecution's psychiatrist or the professional appointed by the court. The expert should be prohibited from using evidence related to or questioning the accused about the offense, the accused's activities before or after the offense, the accused's medical history, employment record, psychiatric background, and any other area that does not directly concern competency of the accused to stand trial.

To "consult with counsel" means the capacity to understand whether to waive constitutional rights such as to waive the right to counsel, to plea guilty or go to trial, to waive a jury, to cross-examine witnesses, and testify in his defense.

To "assist in his defense" does not refer to matters involving legal questions, but to such phases of the defense as an accused would normally assist in, such as an account of facts, identities of witnesses and similar matters. The question is whether the accused is possessed of sufficient mental power, and has such understanding of his situation, such coherency of ideas, control of his mental faculties, and the requisite power of memory, as will enable him to testify on his own behalf, if he so desires.

From a reading of Court opinions it seems that once someone claims a govt. conspiracy, of which history is riddled with examples, the psychologists assume it is a "fixed false belief, not amenable to change", slap the label "delusional disorder", and testify that the defendant cannot "assist in his defense with a reasonable degree of rationality". In complete lack of regard for whether or not the capacity to understand whether to exercise or waive rights exist. This is hilarious as the first thing they did at Seatac and this ridiculous place was ask you to sign a form waiving the right to be segregated from convicted

persons. So either I understand my rights or I am unlawfully blended with convicted persons under color of law.

The Most amusing aspect is that everyone determining my ability to rationally understand my rights, for example the right to not participate in an investigation to deny me the right to a trial, is that I am being assessed by people who are delusional about the COVID injections providing immunity, because the only people working for the government are the people that fell for that scam, and were perfectly ok watching people ^{get fixed} who were not under a delusion that psychology calls a "mass formation psychosis". The Doctors should be patients... The AUSA as well. I'm sure you are either 2-3 jabs in as well.

Anyway, I wanted to point out another thing you didn't do. You guys are going to have fun with the next two Filings. On their way as we speak.

Enjoy, Mr. Moon, and Mr. Goldsmith. Pretty sure I am going to get around that "we don't have jurisdiction to review yet" nonsense.

Fireworks, on display.

Josh Cypel

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Clerk of the Court of

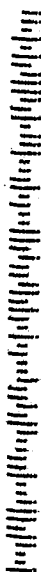
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